

1 By



H. J.R. No. 21

A JOINT RESOLUTION

proposing an amendment to Article XVII, Section 1, of the Texas Constitution, to alter the procedure for amending the constitution.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. That Article XVII, Section 1, of the Texas Constitution, be amended to read as follows:

"Section 1. The Legislature by a vote of two-thirds of all the members elected to each House, to be entered by yeas and nays on the journals, may propose amendments to the Constitution, to be voted upon by the qualified electors for members of the Legislature, which proposed amendments shall be duly published once a week for four weeks, commencing at least three months before an election, the time of which shall be specified by the Legislature, in one weekly newspaper of each county, in which such a newspaper may be published; and it shall be the duty of the several returning officers of said election, to open a poll for, and make returns to the Secretary of State, of the number of legal votes cast at said election for and against said amendments; and if more than one be proposed, then the number of votes cast for and against each of them; and if it shall appear from said return, that a majority of the votes cast, have been cast in favor of any amendment, the said amendment so receiving a majority of the votes cast, shall become a part of this Constitution, and proclamation shall be made by the Governor thereof."

Sec. 2. The foregoing constitutional amendment shall be submitted to a vote of the qualified electors of this state at an election to be held on August 12, 1971, at which election the ballots shall be printed to provide for voting for or against the proposition: "The constitutional amendment providing that the Legislature may propose an amendment of the constitution at any session of the Legislature."

FORM C

(For a favorable report on a bill where a "committee substitute" was recommended by the committee.)

COMMITTEE REPORT

Date 1-28-71

HON. G. F. (GUS) MUTSCHER

Speaker of the House of Representatives.

Sir:

We, your Committee on Constitutional Amendment, to whom was referred HJR No. 21, have had the same under consideration and beg to report back with recommendation that it do pass, and be not printed.

Committee Substitute was recommended and is to be printed in lieu of the original bill.

John A. Sneggen
Chairman.

(A "committee substitute" in the case of a bill is in the form of two suggested amendments, a new body and a new caption. Under the Rules a committee may authorize the printing of the "committee substitute" in lieu of the original bill. If the original caption is adequate, the "committee substitute" should be only a new body; and in such case the original caption should be printed along with the suggested new body.)

1 By: Price

H. J. R. No. 21

2 (In the House. -- Filed January 27, 1971; January 28, 1971 read first time
3 and referred to Committee on Constitutional Amendments: January 28, 1971,
4 Reported favorably as amended, Sent to Printer.)

5 A JOINT RESOLUTION

6 PROPOSING an amendment to Article XVII, Section 1, of the
7 Texas Constitution, to alter the procedure for amend-
8 ing the constitution.

9 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

10 Section 1. That Article XVII, Section 1, of the Texas Constitution, be
11 amended to read as follows:

12 "Section 1. The Legislature, at any biennial session, by a vote of two-
13 thirds of all the members elected to each House, to be entered by yeas and
14 nays on the journals, may propose amendments to the Constitution, to be
15 voted upon by the qualified electors for members of the Legislature, which
16 proposed amendments shall be duly published once a week for four weeks,
17 commencing at least three months before an election, the time of which
18 shall be specified by the Legislature, in one weekly newspaper of each
19 county, in which such a newspaper may be published; and it shall be the
20 duty of the several returning officers of said election, to open a poll for,
21 and make returns to the Secretary of State, of the number of legal votes
22 cast at said election for and against said amendment; and if more than one
23 be proposed, then the number of votes cast for and against each of them;
24 and if it shall appear from said return, that a majority of the votes cast,
25 have been cast in favor of any amendment, the said amendment so receiv-
26 ing a majority of the votes cast, shall become a part of this Constitution,
27 and proclamation shall be made by the Governor thereof."

28 Sec. 2. The foregoing constitutional amendment shall be submitted to a
29 vote of the qualified electors of this state at an election to be held on the
30 first Tuesday after the expiration of 100 days from the date on which this
31 resolution is filed with the Secretary of State at which election the ballots
32 shall be printed to provide for voting for or against the proposition: "The
33 constitutional amendment providing that the Legislature may propose an
34 amendment of the constitution at any session of the Legislature."

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36 COMMITTEE AMENDMENT NO. 1

37 Amend H. J. R. No. 21 by striking all below the resolving clause and placing
38 in lieu thereof the following:

39 Section 1. That Article XVII, Section 1, of the Texas Constitution, be
40 amended to read as follows:

41 "Section 1. The Legislature by a vote of two-thirds of all the members
42 elected to each House, to be entered by yeas and nays on the journals, may
43 propose amendments to the Constitution, to be voted upon by the qualified
44 electors for members of the Legislature, which proposed amendments shall
45 be duly published once a week for four weeks, commencing at least three
46 months before an election, the time of which shall be specified by the
47 Legislature, in one weekly newspaper of each county, in which such a news-
48 paper may be published; and it shall be the duty of the several returning
49 officers of said election, to open a poll for, and make returns to the Secre-
50 tary of State, of the number of legal votes cast at said election for and
51 against said amendments; and if more than one be proposed, then the number
52 of votes cast for and against each of them; and if it shall appear from said
53 return, that a majority of the votes cast, have been cast in favor of any
54 amendment, the said amendment so receiving a majority of the votes cast,
55 shall become a part of this Constitution, and proclamation shall be made by
56 the Governor thereof."

57 Sec. 2. The foregoing constitutional amendment shall be submitted to a
58 vote of the qualified electors of this state at an election to be held on
59 the first Tuesday after the expiration of 100 days from the date on which this
60 resolution is filed with the Secretary of State, at which election the ballots

1 shall be printed to provide for voting for or against the proposition:
2 "The constitutional amendment providing that the Legislature may propose
3 an amendment of the constitution at any session of the Legislature."

4 Atwood
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6 COMMITTEE REPORT

7 COMMITTEE ROOM

8 Austin, Texas, January 28, 1971

9 Hon. G. F. (Gus) Mutscher, Speaker of the House of Representatives.

10 SIR: We, your Committee on Constitutional Amendments, to whom was
11 referred H. J. R. No. 21, have had the same under consideration and beg
12 to report back with recommendation that it do pass, and be not printed.
13 Committee Substitute was recommended and is to be printed in lieu of the
14 original bill.

15 John A. Traeger, Chairman

16 BILL ANALYSIS

17 Background: Constitutional Amendments under the present Texas Constitu -
18 tion may not be passed at any special session of the Legislature.

19 Purpose: This bill would allow the Legislature to pass proposed constitu -
20 tional amendments at a special session.

21 Section by Section Analysis:

22 Section 1: Deletes the restriction which states that only regular sessions
23 of the Texas Legislature may consider constitutional amendments, and al -
24 lows any special session to consider such constitutional amendments upon
25 the proper request of the governor.

26 Section 2: Sets a vote upon this amendment the first Tuesday after the ex -
27 piration of one-hundred days from the date on which this resolution is filed
28 with the Secretary of State.

29 Summary: Passed by voice vote.
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Committee on Constitutional Amendments

BILL ANALYSIS

Background:

Constitutional Amendments under the present Texas Constitution may not be passed at any special session of the legislature.

Purpose:

This bill would allow the legislature to pass proposed constitutional amendments at a special session.

Section by Section Analysis:

Section 1: Deletes the restriction which states that only regular sessions of the Texas legislature may consider constitutional amendments, and allows any special session to consider such constitutional amendments upon the proper request of the governor.

Section 2: Sets a vote upon this amendment the first Tuesday after the expiration of one-hundred days from the date on which this resolution is filed with the Secretary of State.

Summary:

Passed by voice vote.

File^①

Amend H.S.R. No. 21 by adding the
phrase "May 18, 1971" on line
35 in place of the blank
line on said line 35.

FEB 1 1971

DATE

READ AND ADORBED

Dorothy Hallman

CHIEF CLERK
HOUSE OF REPRESENTATIVES

By: Price

H.J.R. No. 21

HOUSE JOINT RESOLUTION

proposing an amendment to Article XVII, Section 1, of the Texas Constitution, to alter the procedure for amending the Constitution. _____

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. That Article XVII, Section 1, of the Texas Constitution, be amended to read as follows: _____

"Section 1. The Legislature by a vote of two-thirds of all the members elected to each House, to be entered by yeas and nays on the journals, may propose amendments to the Constitution, to be voted upon by the qualified electors for members of the Legislature, which proposed amendments shall be duly published once a week for four weeks, commencing at least three months before an election, the time of which shall be specified by the Legislature, in one weekly newspaper of each county, in which such a newspaper may be published; and it shall be the duty of the several returning officers of said election, to open a poll for, and make returns to the Secretary of State, of the number of legal votes cast at said election for and against said amendments; and if more than one be proposed, then the number of votes cast for and against each of them; and if it shall appear from said return, that a majority of the votes cast, have been cast in favor of any amendment, the said amendment so receiving a majority of the votes cast, shall become a part of this Constitution, and proclamation shall be made by the Governor thereof." _____

Sec. 2. The foregoing constitutional amendment shall be submitted to a vote of the qualified electors of this state at an election to be held on May 18, 1971, at which election the ballots shall be printed to provide for voting for or against the proposition: "The constitutional amendment providing that the Legislature may propose an amendment of the Constitution at any session of the Legislature."

ENROLLED

H.J.R. No. 21

HOUSE JOINT RESOLUTION

proposing an amendment to Article XVII, Section 1, of the Texas Constitution, to alter the procedure for amending the Constitution.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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H.J.R. No. 21

Sec. 2. The foregoing constitutional amendment shall be submitted to a vote of the qualified electors of this state at an election to be held on May 18, 1971, at which election the ballots shall be printed to provide for voting for or against the proposition: "The constitutional amendment providing that the Legislature may propose an amendment of the Constitution at any session of the Legislature."

Lieutenant Governor
President of the Senate

Speaker of the House

I hereby certify that H.J.R. No. 21 was adopted by the House on February 1, 1971, by the following vote: Yeas 134, Nays 13.

Chief Clerk of the House

H.J.R. No. 21

I hereby certify that H.J.R. No. 21 was passed by the Senate
on February 4, 1971, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED:

2-5-71

Date

Signed

Governor

4:10 PM

FEB 5 1971

Secretary of State

H.J.R. No. 21

By Rule

HOUSE JOINT RESOLUTION

proposing an amendment to Article XVII, Section 1, of the Texas Constitution, to alter the procedure for amending the constitution.

FILED JAN 27 1971

JAN 28 1971

READ 1ST TIME

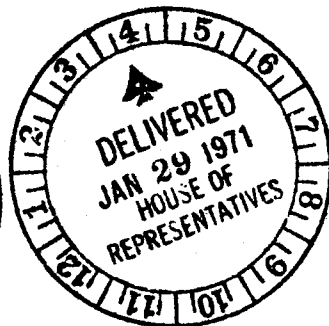
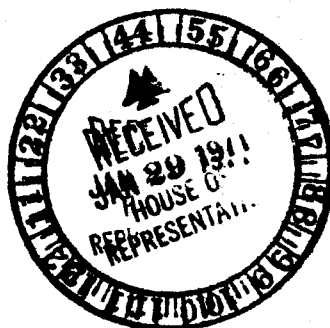
AND REFERRED TO COMMITTEE ON

Constitutional Amendments

Dorothy Hallman

Chief Clerk, House of Representatives

JAN 28 1971 REPORTED FAVORABLY AND RECOMMENDED SENT TO PRINTER



FEB 1 1971

READ SECOND

TIME

Amended

AND

~~RECEIVED~~

~~RECEIVED~~

passed
by vote of 134 ayes,
113 noes.

Dorothy Hallman

Chief Clerk, House of Representatives

FEB 1 1971

MOTION TO RECONSIDER THE VOTE BY

WHICH

H.J.R. # 21

WAS

ADOPTED ~~AND~~ AND TO TABLE THE MOTION TO RECON-

SIDER PREVAILED PASSED BY A two record VOTE OF

Dorothy Hallman

CHIEF CLERK, HOUSE OF REPRESENTATIVES

REFERRED TO COMMITTEE ON

RULES

4:00
(Time)

P.
(Date)

JAN 29 1971

(Date)

FEB 1 1971 SENT TO ENGROSSING CLERK

By: Price

H.J.R. No. 21

HOUSE JOINT RESOLUTION

proposing an amendment to Article XVII, Section 1, of the Texas Constitution, to alter the procedure for amending the Constitution.____

1-27-71 Filed.____

1-28-71 Read first time and referred to Committee on Constitutional Amendments.____

1-28-71 Reported favorably, as amended, sent to printer.____

1-29-71 Printed, distributed and referred to Committee on Rules at 4:00 p.m.____

2- 1-71 Read second time, amended and finally passed by the following vote: Yeas 134, Nays 13.____

Dorothy Hallman
Chief Clerk, H. of R.

2- 1-71 Sent to Engrossing Clerk.____

2- 1-71 Engrossed.____

Area Suppior
Engrossing Clerk, H. of R.

RETURNED FROM ENGROSSING CLERK SENT TO SENATE

FEB 2 1971

FEB 13 1971

IN THE SENATE
Received from the House

FEB 13 1971 Read first time

and referred to Committee
on Constitutional Amendments

FEB 1971 Reported favorably.

Ordered not printed by the Senate

Senate and Constitutional Rules to permit consideration by
(unanimous consent.
yeas, _____ nays.

Senate and Constitutional Rules to permit consideration suspended by
(unanimous consent.
yeas, _____ nays.

FEB 3 1971

Received from the House

FEB 3 1971

Read, referred to Committee on Constitutional Amendments

FEB 4 1971

Reported favorably. _____

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

FEB 4 1971

Ordered not printed. _____

Regular order of business suspended by

(unanimous consent.

(_____ years, _____ days.

FEB 4 1971

To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of 31 yeas, 0 nays.

FEB 4 1971

Read second time **FEB 4 1971** passed to third reading.

Caption ordered amended to conform to body of bill.

FEB 4 1971

Senate and Constitutional 3-Day Rules suspended by vote of 31 yeas, 0 nays to place bill on third reading and final passage.

FEB 4 1971

Read third time and passed by

(a-viva-voce vote. -

(31 yeas, 0 nays. ✓

OTHER ACTION:

Charles Schnabel

Secretary of the Senate

FEB 4 1971

RETURNED FROM SENATE

FEB 4 1971

Returned to HOUSE

Dorothy Hallman

Chief Clerk, House of Representatives

FEB 4 1971 SENT TO ENROLLING CLERK

FEB 5 1971

RECEIVED
SECRETARY OF STATE
4:10 pm
CLOCK

FEB 5 1971

SSM
Secretary of State